

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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JOSH FEIERSTEIN, *individually and on behalf of* :
all others similarly situated :

Plaintiff, :

-against- :

CORREVIO PHARMA CORP., MARK H.N. :
CORRIGAN, WILLIAM HUNTER, JUSTIN A. :
RENZ, :

Defendants. :
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19-CV-11361 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 10, 2020, a motion for appointment as lead plaintiff and approval of selection of lead counsel was filed by three sets of Movants: (1) Clinton Atkinson, Nabil Saad, and Iuliia Mironova (collectively “Atkinson Group”); (2) Nathaniel Edge, Luis Lopez Iglesias, and Win Tang (collectively “Edge Group”); and (3) Larry Dorman, *see* Dkts. 12, 16, 20;

WHEREAS pursuant to 15 U.S.C. § 78u-4(a)(3)(B), the Court is required to determine the “most adequate plaintiff” in this action by reference to which of the Movants “has the largest financial interest in the relief sought by the class,” *id.* at § 78u-4(a)(3)(B)(iii)(I)(bb), and “otherwise satisfies the requirements of Rule 23,” *id.* at § 78u-4(a)(3)(B)(iii)(I)(cc);

WHEREAS the presumption that a Movant is the most adequate plaintiff may be rebutted by evidence that the Movant “will not fairly and adequately protect the interests of the class” or is “subject to unique defenses that render such plaintiff incapable of representing the class,” *id.* at § 78u-4(a)(3)(B)(iii)(II)(aa)-(bb);


IT IS HEREBY ORDERED THAT:

1. Any interested parties, including the Parties and Movants, shall have until **February 18, 2020**, to submit rebuttal evidence as to the financial interest in the relief sought by the class and the adequacy and typicality of any of the Movants, although the Movants should not submit additional materials in support of their own motions except on reply, as discussed below. Each interested party may make only one submission and each submission shall be no more than 10 pages, including any appendices or attorney declarations.
2. Each Movant may, but is not required to, submit a reply in support of their application by **February 21, 2020**. Reply submissions shall be limited to 5 pages, including any appendices or attorney declarations.

To the extent any interested party believes that its submissions should be filed under seal, they are respectfully directed to follow the Court's Individual Rules of Practice in Civil Cases, which may be found on the Court's website: <https://nysd.uscourts.gov/hon-valerie-e-caproni>.

SO ORDERED.

Date: February 11, 2020
New York, New York



VALERIE CAPRONI
United States District Judge